

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

DOCKET NO. 96-679

JUNE 30, 1998

BOWDOINHAM WATER DISTRICT
Town of Bowdoin Request to
Discontinue Hydrant Service

ORDER APPROVING
STIPULATION

WELCH, Chairman; NUGENT, Commissioner

SUMMARY OF ORDER

The Commission approves the Stipulation filed by the parties to this proceeding. The Town of Bowdoin (Town) will continue to be a public fire protection customer of the Bowdoinham Water District (District) and will pay public fire protection charges based upon available hydrant flows.

BACKGROUND

On September 27, 1996, the Commission received a letter, signed by Orville T. Ranger, Esq., on behalf of the Town of Bowdoin requesting a determination of the following:

- 1) Can the Town demand cessation of the water service, particularly where the pressure is so low it has been of no use to the Town for fire fighting or training purposes whatsoever?
- 2) Is the Town required to pay a fee for cessation of this service?
- 3) Whether any further charges by the District to the Town should be abated back to the original request for stopping the service?

Following discovery, a Settlement Conference was held at Commission offices on January 14, 1998. During that meeting the Town made it clear that it wished to continue public fire protection service but believed the current rate was excessive based upon the quality of service available from the hydrants. This changed the focus of the proceeding from buy-out costs to the proper allocation of public fire protection costs between the Town and the Town of Bowdoinham.

The parties (the Town, District, and Public Advocate) continued negotiations in settlement conferences facilitated by Staff and reached agreement on the terms embodied in the Stipulation attached as Exhibit A.

CONCLUSION

We have reviewed the Stipulation and the record in this proceeding and find that the settlement provides a reasonable solution to the dispute. We further find that the proposed method of allocating public fire protection charges between municipalities based upon hydrant flow rates is acceptable. We will approve the Stipulation.

Accordingly, we

O R D E R

1. That the Stipulation filed on June 23, 1998, and attached hereto as Appendix A is hereby approved; and
2. That the Bowdoinham Water District Rate Sheet, identified as Sheet 3 - First Revision, filed to incorporate the terms of the Stipulation on June 23, 1998, shall become effective for service rendered on and after July 1, 1998.

Dated at Augusta, Maine this 30th day of June 1997.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
Nugent